

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARNOLD ANDERSON,

Petitioner,

v.

WILLIAM GITTERE, et al.,

Respondents.

Case No. 3:22-cv-00070-ART-CSD

ORDER

Petitioner Arnold Anderson filed a *pro se* petition for writ of habeas corpus under 28 U.S.C. § 2254 on February 7, 2022. (ECF No. 8 (“Petition”).) On July 26, 2022, this Court stated that it would provisionally appoint the Federal Public Defender to represent Petitioner unless Petitioner declared his desire that this Court not appoint counsel. (ECF No. 18.) Petitioner expressed his desire that counsel be appointed. (ECF No. 21.) As such, this Court appointed the Federal Public Defender, through Kimberly Sandberg, Esq., to represent Petitioner on October 14, 2022. (ECF No. 25.)

Petitioner has now filed five motions to terminate the Federal Public Defender and represent himself. (ECF Nos. 26, 27, 28, 30, 31.) The Court struck the first three motions as fugitive documents pursuant to Local Rule IA 11-6. (ECF No. 29.) However, the Court instructed Ms. Sandberg to inform the Court about any issues with her ongoing representation of Petitioner. (*Id.*) Ms. Sandberg timely responded, indicating that she “takes no position on [Petitioner]’s desire to represent himself and on his motion to dismiss the Federal Public Defender.” (ECF No. 33.) In light of Ms. Sandberg’s response and Petitioner’s multiple requests, the Court will grant Petitioner’s request to remove the Federal Public

Defender.¹

It is therefore ordered that Petitioner's motion to grant *pro se* status (ECF No. 30) is granted. The Federal Public Defender is relieved as counsel, and Petitioner is returned to *pro se* status. The Clerk of the Court is instructed to update the docket sheet and send the Federal Public Defender a courtesy copy of this order.

It is further ordered that Petitioner's motion to dismiss the Federal Public Defender (ECF No. 31) is denied as duplicative.

It is further ordered that Petitioner's counseled, unopposed motion for extension of time to file a first amended petition (ECF No. 32) is denied as moot.

It is further ordered that Petitioner's *pro se* petition for a writ of habeas corpus (ECF No. 8) is the operative petition in this matter. Respondents have 60 days from the date of this order to answer or otherwise respond to the petition (ECF No. 8).

It is further ordered that the remainder of this Court's initial scheduling order (ECF No. 7) remains in effect.

DATED THIS 24th day of January 2023.



ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE

¹ The Court notes that it could consider appointing counsel under the Criminal Justice Act at no expense to the Petitioner. If Petitioner wishes for the Court to consider such an option, he must file a motion.